

## Message Text

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ACTION DLOS-09

INFO OCT-01 EUR-12 ISO-00 ACDA-12 AGRE-00 AID-05  
CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DODE-00  
DOTE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01 TRSE-00  
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NSC-05 NSF-01 OES-09 OMB-01 PA-01 PM-05 SP-02  
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EO 11652: NA  
TAGS: PLOS PL US  
SUBJ: POLISH DEMARCHE ON LAW OF THE SEA  
CONFERENCE PROCEDURES

REF: STATE 151055

1. JAN WITEK, DIRECTOR OF THE DEPARTMENT OF LEGAL  
AND TREATY AFFAIRS OF THE MFA, CALLED IN THE POLITICAL  
COUNSELOR JULY 7 ON ANOTHER MATTER AND, AFTER DEALING  
WITH THAT SUBJECT (SEPTTEL), DELIVERED AN ORAL DEMARCH  
CONCERNING THE RESUMED SEVENTH SESSION OF THE LOS  
CONFERENCE. WITEK SAID THE GOP HAD LEARNED FROM  
ITS EMBASSIES IN SEVERAL CAPTIALS THAT THE US DELEGATION  
AND ITS CHAIRMAN WERE CONDUCTING CONSULTATIONS WITH  
CERTAIN COUNTRIES ON THE ORDER AND METHOD OF WORK  
FOR THE RESUMED SESSION. WITEK SAID HE WAS USING  
THIS INFORMAL MEANS OF CONVEYING POLISH IDEAS ON  
THE SUBJECT BECAUSE THE GOP HAD NOT RECEIVED ANY  
OFFICIAL COMMUNICATION FROM THE USG AND THUS DID  
NOT HAVE A COMPLETE PICTURE OF US VIEWS THAT WOUW  
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WARRANT A WRITTEN COMMUNICATION. HOWEVER, THE REPORTS  
RECEIVED FROM VARIOUS CAPITALS JUSTIFIED TELLING  
US WHAT THE POLES DID KNOW WAS ENOUGH TO MAKE  
THEM "IMPATIENT AND NOT VERY HAPPY".

2. THE GOP HAD THE IMPRESSION, WITEK CONTINUED,  
THAT AMBASSADOR'S RICHARDSON'S INTENTION IS TO BRING

ABOUT A FREEZING OF DEBATE ON MATTERS BEFORE COMMITTEES II AND III AND THUS CLOSE NEGOTIATIONS ON THOSE MATTERS AT THIS STAGE BECAUSE HE CONSIDERS THE RESULTS SO FAR ACHIEVED AS SATISFACTORY. IN EFFECT, ACCORDING TO WITEK, AMBASSADOR RICHARDSON IS SEEKING TO CONCENTRATE THE WORK OF THE RESUMED SESSION ON TWO OR THREE SELECTED ISSUES. THE GOP, HE SAID, "CANNOT CONSIDER THAT INTENTION TO BE FORTUNATE".

3. WITEK EXPLAINED THAT AT THE END OF THE RECENT GENEVA MEETING OF THE CONFERENCE, THE POLISH DELEGATION HAD OFFICIALLY SOUGHT CLARIFICATION FROM THE CONFERENCE PRESIDENT ON THE AGENDA AND METHOD OF WORK TO BE FOLLOWED IN NEW YORK. THE PRESIDENT HAS ASSURED THEM THAT PROCEDURES IN NEW YORK WOULD BE THE SAME AS IN GENEVA. IT WOULD BE VERY DIFFICULT, WITEK SAID, FOR THE GOP TO ACCEPT ANY ALTERATION OF THIS POSITION.

4. SPECIFICALLY, WITEK WENT ON, THE POLES DO NOT THINK THE NEGOTIATIONS IN THE NANDAM GROUP HAVE PRODUCED AN ACCEPTABLE RESULT. NANDAN'S PROPOSALS CANNOT BE ACCEPTED AS A SERIOUS SOLUTION OF THE PROBLEMS OF LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES. IN GENERAL, ACCORDING TO WITEK, THE POLES DO NOT BELIEVE THAT THE DEBATE ON THE STATUS OF THE ECONOMIC ZONE HAS YET REACHED THE STAGE OF POSSIBLE LIMITED OFFICIAL USE

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COMPROMISE.

5. IN ADDITION, WITEK SAID, BESIDES SOME "MONOR ISSUES" THE PROBLEM OF DELIMITING CONTINENTAL SHELVES IS STILL OPEN. IN FACT, IT HAS NEVER BEEN SERIOUSLY DISCUSSED. ACCORDINGLY, IT WOULD NOT BE APPROPRIATE TO "JUMP OVER" THE NORMAL PROCESS OF NEGOTIATION ON THAT ISSUE. AT NEW YORK IT WOULD BE USEFUL FIRST TO DISCUSS HOW TO APPROACH NEGOTIATION OF THE PROBLEM.

6. MORE GENERALLY, WITEK WARNED, THE APPROACH OF DISCUSSING ONLY TWO OR THREE SELECTED ISSUES MAY PRODUCE UNEXPECTED CONSEQUENCES. IT COULD UNDERMINE CONFIDENCE, FOR EXAMPLE, THAT IT IS STILL THE INTENTION TO SOLVE UNSETTLED PROBLEMS ON THE BASIS OF PACKAGE DEALS AND COMPROMISES. THE GOP FEARS THAT WORKING ONLY ON SELECTED PROBLEMS MAY DESTROY HOPE OF FINDING COMPROMISES GENERALLY.

7. WITH RESPECT TO PROCEDURES IN GENERAL, WITEK SAID, THE GOP ATTACHES GREAT IMPORTANCE TO THE AGREED PROGRAM OF WORK OF THE CONFERENCE ESTABLISHED AT

THE INTERSESSIONAL MEETING IN GENEVA IN EARLY 1977.  
AT THE SEVENTH SESSION, HE MAINTAINED, SERIOUS DEVIATIONS  
FROM THAT AGREED PROGRAM TOOK PLACE. THE POLES  
HOPED THAT THE US DELEGATION SHARES THE GOP VIEW:  
(A) THAT THE SEVENTH SESSION WAS POORLY ORGANIZED;  
(B) THAT TOO MUCH TIME WAS LOST; (C) THAT THERE  
WAS ARBITRARY DECISION MAKING; (D) THAT VOTING  
TOOK PLACE; AND (E) THAT THERE WAS DEVIATION FROM  
FUNDAMENTAL AGREED PROCEDURES INCLUDING THE FACT  
THAT THE CENTRAL COMMITTEE "DID NOT PLAY ITS ROLE".  
THESE, WITEK SAID, WERE ENOUGH EXAMPLES TO SHOW  
WHY THE GOP HAS "CERTAIN WORRIES" AND WANTS TO RESTORE  
ORDER TO THE NEGOTIATING PROCESS. IN PARTICULAR,  
HE REPEATED, IT WOULD BE WISE TO CONSIDER RESUMING  
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THE PROCEDURAL APPROACH SET UP AT THE 1977 GENEVA  
INTERSESSIONAL MEETING.

8. IN CONCLUSION, WITEK SAID, HE WANTED TO CONVEY  
THE POLISH DELEGATION'S APPRECIATION FOR THE PAST  
COOPERATION AND GOOD RELATIONS THEY HAD HAD WITH  
AMBASSADORS RICHARDSON AND CLINGAN AND OTHERS ON  
THE US DELEGATION. HE SAID THAT THE PROBLEM OF  
ACCESS OF TRADITIONAL LONG DISTANCE FISHING COUNTRIES  
REMAINED OF THE GREATEST IMPORTANCE TO POLAND AND  
THAT THE GOP WOULD TAKE THE POSITION WITH RESPECT  
TO THIS ISSUE INTO ACCOUNT IN LOOKING AT ALL OTHER  
MATTERS AT THE LOS CONFERENCE. HE EXPRESSED THE  
HOPE THAT POLAND WOULD BE "OFFERED MORE PROFOUND  
COOPERATION AND UNDERSTANDING FROM THE US SIDE"  
ON THAT QUESTION IN FURTHER PROCEEDINGS OF THE CONFERENCE.

9. WE SUGGEST THAT YOU REPEAT THIS MESSAGE AS YOU  
SEE FIT.  
SCHAUFELER

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## Message Attributes

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